

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Rule 1.53(b) Divisional Application of:

Beat FLUEHMANN *et al.*

Parent Serial No.: 09/915,152

Parent Filed: July 25, 2001

For: **PHYTANIC ACID DERIVATIVE  
COMPOSITIONS AND METHOD OF  
TREATING AND/OR PREVENTING  
DIABETES MELLITUS**

) Parent Examiner: K. Weddington  
)  
Parent Art Unit: 1614  
)  
)  
)

New York, New York  
January 27, 2004

**REQUEST TO TRANSFER PREVIOUSLY FILED  
SEQUENCE INFORMATION PURSUANT TO 37 CFR § 1.821(e)**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Sir:

The paper copy of the Sequence Listing in the application filed concurrently herewith is upon information and belief, identical to the computer readable form of the Sequence Listing filed in co-owned, co-pending U.S. Application Serial Number 09/915,152, ("the '152 application"), filed July 25, 2001, to which the present application claims priority as a divisional. In accordance with 37 CFR 1.821(e), please use the last-filed computer readable form filed in the '152 application as the computer readable form for the instant application.

It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing is included with the application filed concurrently herewith for incorporation into the specification.

Respectfully submitted,

By:

  
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